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REV. 125. But where the defendant's act so unbalances the decedent's mind that it loses the quality of free voluntary action, he is not fairly chargeable with his own death. *Cf. Sumwalt Ice, etc. Co. v. Knickerbocker Ice Co.*, 114 Md. 403, 80 Atl. 48. Suicide under such circumstances should not defeat the action.

PUBLIC SERVICE COMPANIES — REGULATION — STREET RAILWAYS — RIGHT TO REQUIRE INTERCHANGE OF TRANSFERS. — Congress passed a law requiring the interchange of transfers between two street railways in the District of Columbia that were independently owned and operated. *Held*, that the law is constitutional. *District of Columbia v. Capital City Traction Co.*, 41 Wash. L. Rep. 766.

For a discussion of the right of the legislature to compel an interchange of transfers see this issue of the REVIEW, at p. 380.

PUBLIC SERVICE COMPANIES — RIGHTS AND DUTIES — DISCRIMINATION IN RATES: CONTINUING CONTRACT NOT DISCRIMINATORY WHEN MADE WHICH BECOMES SO BY A SUBSEQUENT CHANGE IN OTHER RATES. — The defendant company contracted to furnish the plaintiff telephone service at a certain yearly rate during the continuance of an opposition company. Other patrons were served at the same rate, but their contracts, unlike that of the plaintiff, were subject to discontinuance at sixty days' notice. The defendant later raised the rate for all service of this class, cancelling on notice all existing contracts. *Held*, that the plaintiff may recover. *Dean v. Central District Printing & Telegraph Co.*, 61 Pitts. L. J. 613 (Pa. C. P. Lawrence Co., Aug., 1913).

It is the settled policy of public service law that all persons shall pay the same rates for the same service. *Postal Cable Telegraph Co. v. Cumberland Tel. & Tel. Co.*, 177 Fed. 726; *Bell Tel. & Tel. Co. v. Beach*, 8 Ga. App. 720, 70 S. E. 137. Therefore a contract providing for charges which are an apparent and present discrimination over rates charged others is void. *Western Union Telegraph Co. v. Call Publishing Co.*, 181 U. S. 92, 21 Sup. Ct. 561; *Armour Packing Co. v. Edison Co.*, 115 App. Div. 51, 100 N. Y. Supp. 605. In furtherance of this policy it has been held under the Interstate Commerce Act that a continuing contract for service at a fixed price is subject to variation by changes in the published rates. *Armour Packing Co. v. United States*, 209 U. S. 56, 28 Sup. Ct. 428; *Louisville & Nashville R. R. Co. v. Motley*, 219 U. S. 467, 31 Sup. Ct. 265. Since the best opinion seems to be that the Interstate Commerce Act as to its provisions on discrimination is merely declaratory, the above cases seem directly in point against the principal case. Logically it would seem that the power of a public service company to bind itself to continue service at a fixed price is necessarily qualified by the controlling principle of equality. Judged by this test the principal case is incorrect. *Contra, Buffalo Merchants' Co. v. Frontier Tel. Co.*, 112 N. Y. Supp. 862.

PUBLIC SERVICE COMPANIES — VALUATION FOR RATE PURPOSES — ABANDONED PROPERTY AS DEPRECIATION. — The plaintiff railroad company built sections of new road in substitution for parts of the old road, this being a cheaper method than changing the old road. Regulations of the Interstate Commerce Commission allowed the company to credit its property accounts with only the difference between the full cost of the improvements and the value of the abandoned property as determined by its estimated replacement cost, and required the estimated replacement cost to be charged against operating expenses. The company sued to enjoin the enforcement of the regulations. *Held*, that the regulations are proper. *Kansas City Southern Ry. Co. v. United States*, 34 Sup. Ct. 125.

For discussion of this case, see NOTES, p. 369.